

DUCKOR
SPRADLING
METZGER
& WYNNE
A LAW CORPORATION



3043 4th AVENUE
SAN DIEGO, CALIFORNIA 92103
TELEPHONE (619) 209-3000
FACSIMILE (619) 209-3043
www.dsmwlaw.com

WRITER'S E-MAIL ADDRESS
kleinke@dsmwlaw.com

GARY J. SPRADLING

SCOTT L. METZGER

JOHN C. WYNNE

BERNARD L. KLEINKE†

LI-AN C. LEONARD

K. JR. L. OSMARS

KEVIN M. BAGLEY*

ANNA F. ROPPO

MICHAEL A. REED

ROBERT M. SHAUGHNESSY

BRYN C. SPRADLING

GEOFFREY C. CHACKEL

KEVIN L. WHEELER

DOUGLAS W. LYTLE

MARISA JANINE-PAGE

ELIZABETH BURKE VANN

SCOTT M. LOHNES**†

ANNETTE C. CLARK

ROSE M. HUELSKAMP

LAURA E. PEREIRA†

*ADMITTED IN INDIANA ONLY

†CERTIFIED SPECIALIST, TAXATION LAW
STATE BAR OF CALIFORNIA
BOARD OF LEGAL SPECIALIZATION

‡REGISTERED PATENT ATTORNEY

OF COUNSEL
MICHAEL DUCKOR - Retired
JERRY M. CANNON
TYLER W. CRAMER
JOHN H. QUINN, JR.

April 14, 2008

VIA FACSIMILE NO. (571) 273-0025 and U.S. MAIL

Commissioner for Patents
United States Patent and Trademark Office
Office of Petitions
Tredelle D. Jackson, Petitions Examiner
P.O. Box 1450
Alexandria, VA 22313-1450

Re: In re Application of GIRALDIN, Patrick W., et al.
Application No. 09/992,668
Filing Date: November 13, 2001
Attorney Docket No.: 8591-103

Dear Examiner Jackson:

This letter is in reply to your letter of April 8, 2008, regarding the decision to not approve the Request to Withdraw as Attorney of Record, filed January 14, 2008, for the subject U.S. Patent Application.

Enclosed for submission, is a revised REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS. The undersigned attorney is signing on behalf of the other listed registered attorneys and agents as listed on the enclosed copy of the Declaration and Power of Attorney filed February 26, 2002. Please note that on the USPTO web site, Richard J. Warburg and Barry S. Wilson, are the only two in common that are listed on the enclosed Declaration and Power of Attorney and the USPTO web site and no Revocation of Power of Attorney with New Power of Attorney was filed. The listing on the USPTO web site is obviously incorrect.

Further in your letter it states, "... A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of time to file a response or the expiration date of the maximum time period.... A Notice of Abandonment was mailed January 8, 2008. Applicant has two years to file a Petition to Revive. The undersigned attorney has not received any authorization to take on the task to revive the subject patent application.

Office of Petitions
Tredelle D. Jackson, Petitions Examiner
Page 2
April 14, 2008

Moreover in your letter, you state, "... the assignee must establish its ownership of the patent to the satisfaction of the Director...." Enclosed is a copy of the Patent Assignment Abstract of Title, downloaded from the USPTO website. Under the heading Assignment: 1, SAFETZONE TECHNOLOGIES CORPORATION is listed as the Assignee, at Reel/Frame: 012630/0740, recorded on February 22, 2002. Under the heading, Assignment 2, KELLY, REGAN E., is listed as Assignor and GUEST TECHNOLOGIES, LLC as Assignee, at Reel/Frame 017251/0017, recorded on November 21, 2005, which appears to have been recorded in error. Lastly, under the heading Assignment: 3, SAFETZONE TECHNOLOGIES CORPORATION is listed as the Assignor and GUEST TECHNOLOGIES, LLC, as the Assignee, at Reel/Frame 019063/0759, recorded on March 26, 2007. Guest Technologies, LLC is the current owner of the subject patent application.

The undersigned attorney believes that he has shown through documentary evidence, a chain of title from the original owner to the current owner, as requested in your letter.

The undersigned attorney respectfully requests that the Request to Withdraw as Attorney of Record be granted.

If you have questions or would like to discuss this further, please do not hesitate to contact the undersigned attorney.

Respectfully submitted,

Date: April 14, 2008

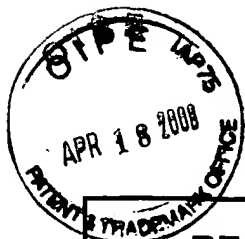
By: 

DUCKOR SPRADLING METZGER & WYNNE
A Law Corporation
3043 4th Avenue
San Diego, California 92103-5801

Bernard L. Kleinke
Attorney of Record
Registration No. 22,123

Telephone No.: 619.209.3000
Facsimile No.: 619.209.3043
Email Address: kleinke@dsmwlaw.com

BLK:sjo
Enclosures



Dei Fu

PTO/SB/83 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR WITHDRAWAL
AS ATTORNEY OR AGENT
AND CHANGE OF
CORRESPONDENCE ADDRESS**

Application Number	09/992,668
Filing Date	11/13/2001
First Named Inventor	PATRICK W. GIRALDIN
Art Unit	2629
Examiner Name	Jeffry J. Piziali
Attorney Docket Number	8591-103

**To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Please withdraw me as attorney or agent for the above identified patent application, and

- ☒ all the attorneys/agents of record.
☐ the attorneys/agents (with registration numbers) listed on the attached paper(s), or
☐ the attorneys/agents associated with Customer Number

NOTE: This box can only be checked when the power of attorney of record in the application is to all the practitioners associated with a customer number.

The reasons for this request are:

(1) Guest Technologies, LLC (Assignee) has failed to pay their invoices rendered by the practitioner for services rendered dating back to 2006; (2) Assignee has refused and failed to pay the overdue invoices after repeated requests to pay; and (3) Assignee knowingly and freely assents to termination of employment by the practitioner.

CORRESPONDENCE ADDRESS

1. ☐ The correspondence address is NOT affected by this withdrawal.
2. ☒ Change the correspondence address and direct all future correspondence to:

☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Guest Technologies, LLC				
Address	22941 Mill Creek Road				
City	Laguna Hills	State	CA	Zip	92653
Country	U.S.A.				
Telephone	949.855.8987	Email	Regan.Kelly@guestllc.com		
Signature	<i>Bernard L. Kleinke</i>				
Name	Bernard L. Kleinke, Attorney of Record (Signing on behalf of other listed registered attorneys and agents)		Registration No.	22,123	
Date	April 14, 2008		Telephone No.	619.209.3000	

NOTE: Withdrawal is effective when approved rather than when received. Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Assignments on the Web > Patent Query

Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 3

Patent #: NONE **Issue Dt:** **Application #:** 09992668 **Filing Dt:** 11/13/2001
Publication #: 20020080198 **Pub Dt:** 06/27/2002
Inventors: Patrick W. Giralдин, Regan E. Kelly, Timothy W. Giralдин
Title: System for real-time location of people in a fixed environment

Assignment: 1

Reel/Frame: 012630/0740 **Recorded:** 02/22/2002 **Pages:** 6
Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).
Assignors: GIRALDIN, PATRICK W. **Exec Dt:** 01/18/2002
 KELLY, REGAN E. **Exec Dt:** 01/18/2002
 GIRALDIN, TIMOTHY W. **Exec Dt:** 01/18/2002
Assignee: SAFETZONE TECHNOLOGIES CORPORATION
 22941 MILL CREEK ROAD
 LAGUNA HILLS, CALIFORNIA 92653
Correspondent: FOLEY & LARDNER
 BERNARD L. KLEINKE
 402 WEST BROADWAY
 24RD FLOOR
 SAN DIEGO, CA 92101-3542

Assignment: 2

Reel/Frame: 017251/0017 **Recorded:** 11/21/2005 **Pages:** 6
Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).
Assignor: KELLY, REGAN E. **Exec Dt:** 11/07/2005
Assignee: GUEST TECHNOLOGIES, LLC
 17 F EVERBERG ROAD
 WOBURN, MASSACHUSETTS 01801
Correspondent: BARRY W. CHAPIN, ESQ.
 CHAPIN & HUANG, L.L.C.
 WESTBOROUGH OFFICE PARK
 1700 WEST PARK DRIVE
 WESTBOROUGH, MA 01581

Assignment: 3

Reel/Frame: 019063/0759 **Recorded:** 03/26/2007 **Pages:** 6
Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).
Assignor: SAFETZONE TECHNOLOGIES CORPORATION **Exec Dt:** 03/26/2007
Assignee: GUEST TECHNOLOGIES, LLC
 22941 MILL CREEK RD.
 LAGUNA HILLS, CALIFORNIA 92653
Correspondent: THOMAS J. APPLIEDORN
 38500 WOODWARD, SUITE 100
 BLOOMFIELD HILLS, MI 48304



COPY OF PAPERS
ORIGINALY FILED

CLIENT

Atty. Dkt. No. 025505-2005

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SYSTEM FOR REAL-TIME LOCATION OF PEOPLE IN A FIXED ENVIRONMENT

(Attorney Docket No. 025505-2005)

the specification of which (check one)

 X is attached hereto.

 was filed on as United States Application Number or PCT International Application Number and was amended on (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/248,188	11/14/2000

I HEREBY CLAIM the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents of the law firm of FOLEY & LARDNER:

WESLEY B. AMES	Reg. No. 40,893
LEI FANG	Reg. No. 44,676
ANDREW EDWARD GRANSTON	Reg. No. 38,473
LEE HSU	Reg. No. 39,716
BERNARD L. KLEINKE	Reg. No. 22,123
STEPHEN E. REITER	Reg. No. 31,192
RICHARD M. SAN PIETRO	Reg. No. 45,071
STACY L. TAYLOR	Reg. No. 34,842
RICHARD J. WARBURG	Reg. No. 32,327
ARTHUR A. WELLMAN JR.	Reg. No. 47,174
MICHAEL A. WHITTAKER	Reg. No. 46,230
BARRY S. WILSON	Reg. No. 39,431

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

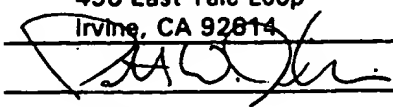
I request that all correspondence be directed to:

Bernard L. Kleinke
 FOLEY & LARDNER
 402 West Broadway
 23rd Floor
 San Diego, California 92101-3542

Telephone: (619) 685-6459
 Facsimile: (619) 234-3510

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Patrick W. Giralдин
Residence	Irvine, CA
Citizenship	US
Post Office Address	498 East Yale Loop Irvine, CA 92614
Inventor's signature	
Date	1.18.02

